# EXHIBIT B

From:

Testa, Vincent <vince.testa@philips.com>

Sent:

Thursday, May 24, 2018 7:57 AM

To:

**Bob Marsh** 

Cc:

Bonnie Peterson; Rob Mays; Tom Yebernetsky

Subject:

**RE: PAFS Deterioration** 

Hi Bob,

Thanks for the prompt response.

Regards, Vince

From: Bob Marsh [mailto:bobm@polytechinc.com]

Sent: Wednesday, May 23, 2018 11:35 AM
To: Testa, Vincent < vince.testa@philips.com>

Cc: Bonnie Peterson <bonnie@polytechinc.com>; Rob Mays <Rob@polytechinc.com>; Tom Yebernetsky

<TYebernetsky@brandonsales.com>
Subject: RE: PAFS Deterioration

Vince,

The foamer is sure that as the foam deteriorates the FR properties diminish. There is no way to test to gauge to what extent, though.

Best Regards, BobM

From: Testa, Vincent [mailto:vince.testa@philips.com]

Sent: Wednesday, May 23, 2018 8:47 AM

To: Bob Marsh

Cc: Bonnie Peterson; Rob Mays; Tom Yebernetsky

Subject: RE: PAFS Deterioration

Hi Bob,

As I mentioned we had a few complaints from customers stating that the foam was degrading in our device. We sent samples to a local lab for analysis. They concluded:

"The changes observed in the FTIR spectra collected from the returned samples, indicates an increase in bands that would result from a deavage of the bonds in the base polymer. The physical characteristics of the foam, as observed in the SEM, with indications of embrittlement are consistent with cleavage as well. These results are consistent with an environmental exposure causing base polymer cleavage and embrittlement of the material."

Further investigation concluded that prolonged exposure to high humidity causes the foam to degrade.

The attached are images of: 01 – Foam installed

#### Case 2:21-mc-01230-JFC Document 1816-2 Filed 04/20/23 Page 3 of 8

02 - Foam separating

03 - Foam degrading

As the foam degrades it breaks down into small particulate. A question has been raised regarding the flammability rating of the foam. Does it maintain its UL 94 Flame Resistance rating if it is broken down into particulate?

Thanks,

Vince

Vince Testa | Project Mechanical Engineer | Philips Home Healthcare Solutions | 1740 Golden Mile Hwy, Monroeville, PA 15146 | NEW TELEPHONE: 412.542.3802 | F: 724.733.5893 | vince.testa@philips.com

From: Bob Marsh [mailto:bobm@polytechinc.com]

Sent: Wednesday, May 9, 2018 1:56 PM
To: Testa, Vincent <vince.testa@philips.com>

Cc: Bonnie Peterson <bonnie@polytechinc.com>; Rob Mays < Rob@polytechinc.com>; Tom Yebernetsky

<TYebernetsky@brandonsales.com>
Subject: RE: PAFS Deterioration

Correct

From: Testa, Vincent [mailto:vince.testa@philips.com]

Sent: Wednesday, May 09, 2018 1:51 PM

To: Bob Marsh

Cc: Bonnie Peterson; Rob Mays; Tom Yebernetsky

**Subject:** RE: PAFS Deterioration

Okay. So that's an ester based urethane that will have the same humidity sensitivities as the PAFS?

From: Bob Marsh [mailto:bobm@polytechinc.com]

**Sent:** Wednesday, May 9, 2018 1:29 PM **To:** Testa, Vincent <vince.testa@philips.com>

Cc: Bonnie Peterson < bonnie@polytechinc.com >; Rob Mays < Rob@polytechinc.com >; Tom Yebernetsky

<<u>TYebernetsky@brandonsales.com</u>> **Subject:** RE: PAFS Deterioration

Vince,

We supply Paramount our PRF-S60 foam for them to fabricate the 1025406 (MPAP FILTER ELEMENT) part that you have designated as PRF-60ZSIF.

Thanks, BobM

From: Testa, Vincent [mailto:vince.testa@philips.com]

Sent: Wednesday, May 09, 2018 11:16 AM

To: Bob Marsh; Bonnie Peterson Cc: Rob Mays; Tom Yebernetsky Subject: RE: PAFS Deterioration

Bob,

### 

Thank you for the information. I'm sure I'll have more questions. But first, can you verify which foam the 1025406 (MPAP FILTER ELEMENT) is?

Thanks, Vince

From: Bob Marsh [mailto:bobm@polytechinc.com]

Sent: Tuesday, May 8, 2018 7:21 AM

**To:** Testa, Vincent <<u>vince.testa@philips.com</u>>; Bonnie Peterson <<u>bonnie@polytechinc.com</u>> **Cc:** Rob Mays <<u>Rob@polytechinc.com</u>>; Tom Yebernetsky <<u>TYebernetsky@brandonsales.com</u>>

Subject: RE: PAFS Deterioration

Vince,

Please see the reply from the manufacturer (indented below).

PRF-S is ester foam. PRF-T is an ether foam.

PHU is high density polyurethane foam that is an ether and ester blend.

I am unable to answer Question Number 1. We would not recommend using **polyester** foam in such an environment and have no direct data to use to calculate the rate of hydrolysis. **Polyether** foam lifetime would not be expected to reduce significantly at the stated conditions. Use with pure oxygen could shorten the lifetime some by promoting more rapid oxidation. I do not know the extent of the reduction, but do not expect it to be overly significant.

Polyester foam will lose tensile strength and overall integrity as it hydrolyzes. It will eventually decompose to a "sticky" powder. That will happen very rapidly at 40°C, 95% R.H.

Best Regards, BobM

From: Testa, Vincent [mailto:vince.testa@philips.com]

Sent: Thursday, May 03, 2018 1:33 PM

To: Bob Marsh; Bonnie Peterson Cc: Rob Mays; Tom Yebernetsky Subject: RE: PAFS Deterioration

Hi Bob,

Thank you for the response. We are evaluating our options regarding the foam. We could switch to the PAF, or we could indicate a preventive maintenance cycle in which they would replace the PAFS foam pieces. Fortunately, the foam is easily accessible. To that point, I need more information about the PAFS foam. The datasheet states the estimated service life is a minimum 10 years at 27°C (80°F) and 95% R.H. The environmental conditions for our device is a maximum of 40°C and 95% R.H. Note the difference in temperature.

- Please ask your foam supplier to calculate the service life based on this higher temperature (40°C vs. 27°C).
  - a. It would also be useful if they could provide a graph depicting failure over time. For example, if tensile strength reduced over time, they would plot strength vs. time.

2. At the end of the service life, what is the failure mode of this material?

We use two other types of foam in our device.

- 1025406 (MPAP FILTER ELEMENT) is PRF-60ZSIF-040. I could not find a data sheet on your website for PRF, but I did find PRF-S (ester based urethane) and PRF-T (polyether polyurethane). Which is it?
- 2. 1036705 (MMV, Capacitor/Battery Foam) is PHU-40-025-L4. I could not find a data sheet on your website for PHU. What is this material?

Thank you,

Vince Testa
Project Mechanical Engineer
Philips Home Healthcare Solutions
1740 Golden Mile Hwy
Monroeville, PA 15146

**NEW TELEPHONE:** 412.542.3802

F: 724.733.5893

vince.testa@philips.com

From: Bob Marsh [mailto:bobm@polytechinc.com]

Sent: Wednesday, May 2, 2018 3:40 PM

To: Testa, Vincent <<u>vince.testa@philips.com</u>>; Bonnie Peterson <<u>bonnie@polytechinc.com</u>>
Co: Rob Mays <<u>Rob@polytechinc.com</u>>; Tom Yebernetsky <<u>TYebernetsky@brandonsales.com</u>>

Subject: RE: PAFS Deterioration

Vince,

Thanks for sharing the test results with us. It is good to have that comparison to reinforce that ester foams are not the best option for elevated humidity/heat environments.

Our suggestion is for you to make the switch to the ether (PAF) foam as soon as you can roll the change in. We are able to support the change as soon as you can make it happen.

Our foam supplier does not think that the presence of higher than ambient oxygen would hasten the deterioration. The high temperature and humidity are the factors contributing to the ester foam deterioration.

Best Regards, BobM

From: Testa, Vincent [mailto:vince.testa@philips.com]

Sent: Friday, April 27, 2018 1:52 PM

To: Bonnie Peterson

Cc: Bob Marsh; Rob Mays; Tom Yebernetsky

Subject: RE: PAFS Deterioration

Hi Bonnie,

I was not involved with the 2016 investigation, but I did follow up with Rich Alfieri. He previously sent some samples of the PAFS foam to our Technical Expert Group in Drachten, The Netherlands. They performed several tests including an environmental test performed at 90°C and 100% humidity. After 7 days, the foam started to disintegrate. They noted that polyester urethanes "show bad resistance against high humidity in combination with high temperature."

A few months later, he sent samples of the PAF foam. They repeated the testing and concluded, "contrary to polyester urethane foams, polyether urethane foams show a far better resistance against high humidity at high temperature. Some degradation is observed, as can be seen from the weight loss, color change and change in pH and conductivity, but it happens only slowly and gradually."

In summary, the PAF (polyether urethane) shows better resistance to environmental breakdown than the PAFS (polyester urethane).

The datasheets on the Polymer Technologies website state "Excellent" humidity resistance for both materials and a service life of 10 years. Although the datasheets read quite similarly, our experience suggests there is a substantial difference between these materials.

Material	Humidity Resistance	Service Temperature	Estimated Service Life
PAF	Excellent; no significant decrease in tensile strength or elongation after 5 hrs. of steam autoclave at 250°F (121°C) per ASTM D3574-86, Test J.	Continuous -45°F (-43°C) TO 212°F (100°C) Intermittent 250°F (121°C)	Min. 10 years at 80°F (27°C) and 95% R.H.
PAFS	Excellent. No significant decrease in T.S. and elongation after 5 hours of steam autoclaving at 121°C (250°F) per ASTM D3574-91, Test J.	43°C (-45°F) to 109°C (225°F) continuous up to 138°C (280°F) intermittent	Minimum 10 years at 27°C (80°F) and 95% R.H.

Thank you,

Vince Testa Project Mechanical Engineer Philips Home Healthcare Solutions 1740 Golden Mile Hwy Monroeville, PA 15146

**NEW TELEPHONE:** 412.542.3802

F: 724.733.5893

vince.testa@philips.com

From: Testa, Vincent

Sent: Tuesday, April 24, 2018 2:28 PM

To: 'Bonnie Peterson' < bonnie@polytechinc.com >

Cc: Bob Marsh < bobm@polytechinc.com >; Rob Mays < Rob@polytechinc.com >; Tom Yebernetsky

<<u>TYebernetsky@brandonsales.com</u>> **Subject:** RE: PAFS Deterioration

Hi Bonnie,

Thanks for the information. Look forward to hearing back from your material supplier.

#### Regards,

Vince Testa Project Mechanical Engineer Philips Home Healthcare Solutions 1740 Golden Mile Hwy Monroeville, PA 15146

**NEW TELEPHONE:** 412.542.3802

F: 724.733.5893

vince.testa@philips.com

From: Bonnie Peterson [mailto:bonnie@polytechinc.com]

Sent: Monday, April 23, 2018 3:58 PM

To: Testa, Vincent < vince.testa@philips.com >

Cc: Bob Marsh < bobm@polytechinc.com >; Rob Mays < Rob@polytechinc.com >; Tom Yebernetsky

<<u>TYebernetsky@brandonsales.com</u>> **Subject:** RE: PAFS Deterioration

Hi Vince,

We were contacted by Rich Alfieri in 2016 for this same issue. The attached was the response we provided at that time; we did send samples of PAF (ether based) but did not hear about the results and have continued to supply the PAFS. We reached out again to our material supplier with the additional info you provided below and will get back to you.

Thanks, Bonnie

Bonnie Peterson Project Manager Polymer Technologies, Inc Phone: (302) 738-9001 x244 www.polytechinc.com

## Engineered Solutions for Noise, Vibration, Temperature and Air/Fluid Transfer Challenges

## Click here to learn about our line of High Performance, Engineered Hoses for Air/Fluid Transfer

Although this e-mail and any attachments are believed to be free of any virus or other defect which might affect any computer system, it is the responsibility of the recipient to check that it is virus-free and the sender accepts no responsibility or liability for any loss, injury, damage, cost or expense arising in any way from receipt or use thereof by the recipient.

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or proprietary information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, immediately contact the sender by reply e-mail and destroy all copies of the original message.

From: Testa, Vincent [mailto:vince.testa@philips.com]

Sent: Friday, April 20, 2018 3:06 PM

To: Bonnie Peterson < bonnie@polytechinc.com >

**Subject: PAFS Deterioration** 

Importance: High

Hello Bonnie,

Over the past few years you've helped me with technical questions regarding your foam. Now I have an issue that I'm hoping you can help me resolve. We use the PAFS foam in the air path of our Trilogy family of ventilators as a means for noise reduction (drawings attached). Recently we've received a few complaints from our customers that the foam is disintegrating (images attached, these are separate parts). To me it appears as if the open cell foam is disintegrating. The material sheds and is pulled into the ventilator air path. As you can imagine, this is not a good situation for our users.

I'm wondering what could cause this material to break down. The specification sheet says it has excellent resistance to heat, moisture and chemicals. We do not recommend or specify any means to clean or disinfect this foam. In fact, our device is designed such that these components can be replaced by the customer. Other than room air the only other elements this foam is exposed to normally are isopropyl alcohol and pure oxygen.

- Isopropyl alcohol To ease the insertion of the 1044528 into the 1035281 assembly, the vertical walls of the
  plastic are swiped with alcohol to keep the L4 adhesive from sticking. This is done at our supplier. Note, no
  alcohol is used in the presence of the 1044529 foam, and these two pieces of foam do not come into contact
  with each other until final assembly at our facility (well long after the alcohol would have evaporated).
- Oxygen Pure oxygen can be ported into the device. It comes into direct contact with both pieces of foam.

Any guidance would be appreciated. We should be able to provide samples if desired. I flagged this message with high importance since we are addressing a potential safety concern.

Thank you,

Vince Testa
Project Mechanical Engineer
Philips Home Healthcare Solutions
1740 Golden Mile Hwy
Monroeville, PA 15146
NEW TELEPHONE: 412.542.3802

F: 724.733.5893

vince.testa@philips.com

The information contained in this message may be confidential and legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this message is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message.